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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,808	09/30/2003	Thomas Solderits	BP-87	2226
7590 Friedrich Kueffner Suite 910 317 Madison Avenue New York, NY 10017		05/03/2007	EXAMINER LAO, LUN S	
			ART UNIT 2615	PAPER NUMBER
			MAIL DATE 05/03/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/675,808

Applicant(s)

SOLDERITS, THOMAS

Examiner

Lun-See Lao

Art Unit

2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Introduction

1. This action is response to the application 10/675,808 filed 09-30-2003. Claims 1-8 are pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 5-6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Killion (US PAT. 6,151,399).

Consider claim 1 Killion teaches that a method for producing a microphone with a stipulated sensitivity within narrow limits, the microphone having a microcapsule (see fig.5 (20,30 microphone cartridge) and an amplifier (160), the method comprising the steps of:

providing the amplifier (160) with a network of passive components (61A-61E); measuring the sensitivity of the microphone (20,30); and disconnecting (by selector) the passive components to alter amplification of the amplifier so that the sensitivity of the microphone lies within a the desired range (see col. 8 line 10-55).

Consider claim 5 Killion teaches a microphone having a sensitivity stipulated within narrow limits, comprising:

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a microphone capsule (see fig.5 (20,30 microphone cartridge));

an amplifier (160); and

a network of passive components (61A-61E) allocated to the amplifier, at least one of the passive components being disconnected (see col. 8 line 10-55).

Consider claim 6 Killion teaches that the passive components are resistors (61A-61E and see col. 8 line 10-55).

Consider claim 2, it is a method claim corresponding to the apparatus claim 6. See previous rejection for apparatus claim 6 rejection.

Consider claim 8 Killion teaches that the passive component is at least one of a capacitive component (see fig.5 (72)) and an inductive component (see col. 8 line 10-55).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Killion (US PAT. 6,151,399).

Consider claims 3-4, Killion fails to teach that the disconnecting step includes destroying the passive components with a laser beam and the disconnecting step includes destroying electrical feed lines to the passive components to be disconnected.

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However, It is well known in the art (official notice is taken) to use the laser beam equipment to destroying the electrical part.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time of the invention was made to modify the invention of Killion by implementing a laser beam as claimed to destroying the unwanted electrical part is determined base on the designer's needs, so that the directional microphone system will be cheaper for the market demand.

Consider claim 7 it is essentially similar to claim 4 and is rejected for reason stated above apropos to claim 4.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ajiki (US PAT. 6,915,555) is cited to show other related microphones with equal sensitivity.

7. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (571) 272-7501. The examiner can normally be reached on Monday-Friday from 8:00 to 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chin Vivian, can be reached on (571) 272-7848.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (571) 272-2600.

Lao,Lun-See L.S.
Patent Examiner
US Patent and Trademark Office
Knox
571-272-7501
Date 04-25-2007


VIVIAN CHIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600